

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

HUNTER CREGER, individually
and on behalf of all others similarly
situated, *et al.*

Plaintiffs,

v.

UNITED LAUNCH ALLIANCE, LLC;

Defendant.

Civil Action No.:

**MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs respectfully request that the Court issue a temporary restraining order and a preliminary injunction enjoining Defendant United Launch Alliance, LLC (“ULA”) from enforcing its COVID-19 vaccine mandate for all employees who have requested or will request an accommodation from the mandate until ULA has granted reasonable accommodations as required by federal and Alabama law. To date, ULA has failed to do so. Rather than engage in a meaningful interactive process, ULA forced or is forcing all employees who requested an accommodation for religious or health reasons to either abandon their request and receive the vaccine by October 29, 2021 or, for those who appealed the denial of their request for accommodation, by November 7, 2021 or within 3 days of notice of the denial of the appeal, or effectively be terminated. As explained in the accompanying memorandum and supporting exhibits, ULA’s failure to engage in the interactive process and its failure to grant reasonable accommodations violates both Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act. ULA’s failure to provide requested accommodations, and to first reduce compensation and then terminate Plaintiffs before the resolution of forthcoming appeals, also violates Alabama Act 2021-561.

Accordingly, to prevent irreparable injury, the Court should grant this Motion and temporarily enjoin ULA from: (1) terminating any employee for failing to receive a COVID-19 vaccine if that employee has requested an accommodation for religious or medical reasons; (2) placing any employee on unpaid leave as a form of accommodation from the COVID-19 vaccine mandate; and (3) denying as untimely any request for religious or medical accommodation from the COVID-19 vaccine mandate. Moreover, if any employee should be considered already terminated, Plaintiffs ask this Court to use its supplemental jurisdiction to order Defendants to continue paying them under Alabama Act 2021-561 § 1(h).

November 12, 2021

Respectfully submitted,

/s/ Matthew J. Clark

Matthew J. Clark

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* *Pro hac vice* motion forthcoming

*Counsel for Plaintiffs and the
Proposed Class*

CERTIFICATE OF SERVICE

Despite this motion being filed *ex parte*, I hereby certify that on November 11, I emailed the following, offering to talk before we filed this motion; and after not hearing a response, emailed a copy of the foregoing to the following on November 12, 2021:

Sondra K. Barbour
General Counsel, United Launch Alliance
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/s/ Matthew J. Clark
Matthew J. Clark

Counsel for Plaintiffs